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<u>05-133</u>	<u>ARCHBISHOP JOHN C. FAVALORA</u>

THE FOLLOWING HEARING WAS DEFERRED FROM 9/1/05 TO THIS DATE:

HEARING NO. 05-9-CZ10-6 (04-437)

13-54-40
Council Area 10
Comm. Dist. 6

APPLICANTS: MARIANO & ROXANA DELAPARRA

- (1) UNUSUAL USE to permit a day care center.
- (2) Applicant is requesting to permit the day care center setback 7.5' (25' required) from the side street (north) property line, setback 24.73' (25' required) from the front (west) property line, setback 5.75' (50' required) from the rear (east) property line and setback 7.95' (50' required) from the interior side (south) property line and spaced less than 75' from residences under different ownership to the east & south.
- (3) Applicant is requesting to permit parking within 25' of the right-of-way (not permitted).
- (4) Applicant is requesting to permit 0 auto stacking spaces (4 stacking spaces required).
- (5) Applicant is requesting to permit 0' of landscaped buffer area along the east property line (5' required between dissimilar land).

Upon a demonstration that the applicable standards have been satisfied, approval of request #2-5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Site Plan," as prepared by Filer & Hammond Architects, Inc., consisting of 3 pages and a site plan dated 5/18/05, a floor plan dated 12/6/04 and a landscape plan dated 5/18/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 13 & 14, less the west 10' thereof, Block 25, less all the part which lies within the external area formed by a 25' radius arc, concave to the Southeast, tangent to the north line of said Lot 13, and tangent to the east line of the west 10' of said Lot 13, Block 25, REVISION OF CORAL VILLAS, Plat book 8, Page 27.

LOCATION: 3101 S.W. 67 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 100' x 122'

PRESENT ZONING: RU-1 (Single-Family Residential)

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THE FOLLOWING HEARING WAS DEFERRED FROM 9/1/05 TO THIS DATE:

HEARING NO. 05-9-CZ10-7 (04-438)

16-54-39
Council Area 10
Comm. Dist. 11

APPLICANTS: JUAN BADELL & EDUARDO LA ROZ

(1) GU to RU-1M(b)

REQUEST #1 ON PARCELS "A" & "B"

- (2) Applicant is requesting to permit two lots; one lot with a frontage of 55' and one lot with a frontage of 50.05' (60' frontage required for each).
- (3) Applicant is requesting to permit a lot with an area of 5,755.45 sq. ft. (6,000 sq. ft. required).

REQUESTS #2 & #3 ON PARCEL "A"

- (4) Applicant is requesting to permit two lots with a frontage of 52.5' (60' frontage required for each).

REQUEST #4 ON PARCEL "B"

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #4 may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non- Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Map of Boundary Survey Parcel 'A' for Eduardo La Roz & Map of Boundary Survey Parcel 'B' for Juan Badell," both sheets as prepared by Caribbean Land Surveyors, Inc. and dated stamped received 1/25/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: PARCEL "A": The south ½ of the SW ¼ of the SE ¼ of the NE ¼ of Section 16, Township 54 South, Range 39 East, less the west 530' and less the north 180' thereof. AND: PARCEL "B": South ½ of the SW ¼ of the SE ¼ of the NE ¼ of Section 16, Township 54 South, Range 39 East, less the west 425' and less the north 180' thereof and less the east 130' thereof.

LOCATION: The Northwest corner of S.W. 34 Street & S.W. 148 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.809 Acre

GU (Interim)
RU-1M(b) (Modified Single Family 6,000 sq. ft. net)

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APPLICANT: 6425 CORP.

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office building setback 10' (15' required) from the interior side (west) property line.
- (3) Applicant is requesting to waive the zoning regulations requiring that no fence or wall exceed 2.5' in height when located within 10' of the edge of a driveway leading to a public right-of-way; to permit a 6' high wall and ornamental fence along the side street (east) property line up to the edge of a driveway.
- (4) Applicant is requesting to waive the zoning regulations requiring Coral Way to be 100' in width; to permit a 35' dedication (50' required) for the north half of S.W. 24th Street.
- (5) Applicant is requesting to waive the dissimilar land use buffer along a portion of the interior side (west) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) and approval of requests #2 through #5 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Proposed Site Plan for Mr. Danny Masso," as prepared by Nestor J. Cifuentes, and consisting of 4 sheets: Sheet "A-2" dated stamped received 5/2/05 and the balance of the sheets dated stamped received 3/14/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 14, less the south 10' for road and the east 30' of Lot 15, less the south 10' for road, TAMIAMI ACRES PLAN 2, Plat book 5, Page 74.

LOCATION: 6425 S.W. 24 Street (Coral Way), Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.257 Acre

RU-1 (Single-Family Residential)
RU-5A (Semi-professional Offices)

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HEARING NO. 05-10-CZ10-2 (05-30)

4-54-40
Council Area 10
Comm. Dist. 10

APPLICANT: JUAN JESUS DURAN

- (1) Applicant is requesting to permit an addition to a townhouse residence setback 9.1' from the rear (north) property line (20' required).
- (2) Applicant is requesting to permit the townhouse residence with a patio area of 370.2 sq. ft. (500 sq. ft. required).

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "As Built Family Room and Utility Room Addition to Unit Model C Mr. Juan J. & Mercedes Duran," as prepared by Carlos Muller and dated received 2/8/05 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 2, Block 26, THE VILLAS OF MADEIRA, SECTION THREE, Plat book 108, Page 59.

LOCATION: 9461 S.W. 6 Lane, Miami-Dade County, Florida.

SIZE OF PROPERTY: 85' X 30'

PRESENT ZONING: RU-TH (Townhouse – 8.5 units/net acre)

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HEARING NO. 05-10-CZ10-3 (05-32)

10-54-39
Council Area 10
Comm. Dist. 11

APPLICANT: RAMON MADRUGA

AU to RU-1M(a)

SUBJECT PROPERTY: The south ½ of Tract 6, J. G. HEAD FARMS SUBDIVISION, Plat book 46, Page 44.

LOCATION: The Northeast corner of S.W. 147 Avenue & theoretical S.W. 16 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 2.34 Acres

AU (Agricultural – Residential)
RU-1M(a) (Modified Single Family – 5,000 sq. ft. net)

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APPLICANT: GEORGINA MARIA GRANADOS

- (1) Applicant is requesting to permit a Florida room addition to a single-family residence setback 5.04' (25' required) from the rear (north) property line.
- (2) Applicant is requesting to permit a covered terrace addition setback varying from 2.34' to 4.01' (7.5' required) from the interior side (west) property line.
- (3) Applicant is requesting to permit a shed setback 2' (5' required) from the rear (north) and setback 2.1' (5' required) from the interior side (west) property lines.
- (4) Applicant is requesting to permit a roofed structure setback 2' (5' required) from the rear (north) property line.
- (5) Applicant is requesting to permit a spacing of 3' (10' required) between the shed and roofed structure and spacing of 7' (10' required) between the shed, roofed structure and roofed screen enclosure.

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Legalization Terrazas, Florida Bedroom-Bathroom-TV Area-w/clos. Georgina M. Garcia," as prepared by Carlos Mourin, Architect, dated 09/04 and consisting of 7 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 19, Block 12, MILLER HEIGHTS, Plat book 65, Page 5.

LOCATION: 9205 S.W. 48 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 10,508.86 sq. ft.

PRESENT ZONING: RU-1 (Single Family Residential)

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HEARING NO. 05-10-CZ10-5 (05-62)

17-54-40
Council Area 10
Comm. Dist. 10

APPLICANTS: JUAN & LEONOR LABRADOR

- (1) Applicants are requesting to permit an addition to a townhouse residence setback 5.75' (10' required) from the rear (south) property line.
- (2) Applicants are requesting to permit the townhouse residence with a patio area of 134 sq. ft. (500 sq. ft. required).

Upon a demonstration that the applicable standards have been satisfied, approval of these request may be considered under §33-311 (A) (4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department, Entitled "Proposed Terrace"; as prepared by Jose R. Figueroa; consisting of 5 sheets dated 11/16/04. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 1 Block 2, ENDAS ESTATES, Plat book 160, Page 42.

LOCATIONS: 10002 S.W. 24 Terrace, Miami-Dade County Florida.

SIZE OF PROPERTY: 1,835 sq. ft.

PRESENT ZONING: RU-TH (Townhouse 8.5 units/net acre)

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HEARING NO. 05-10-CZ10-6 (05-67)

13-54-39
Council Area 10
Comm. Dist. 10

APPLICANT: CAP INVESTMENTS L. L. C.

RU-5A to OPD

SUBJECT PROPERTY: Lots 1 – 14, Block 16, SECOND ADDITION TO SOUTHERN ESTATES, Plat book 73, Page 15.

LOCATION: The Northwest corner of S.W. 119 Court & S.W. 42 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 3.4 Acres

RU-5A (Semi-Professional Offices)
OPD (Office Park District)

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HEARING NO. 05-10-CZ10-7 (05-71)

3-54-40
Council Area 10
Comm. Dist. 6

APPLICANT: MARIA JULIA NAPOLES

- (1) Applicant is requesting to permit an addition to a duplex residence with a lot coverage of 35.4% (30% permitted).
- (2) Applicant is requesting to permit the duplex residence setback 7.45' (7.5' required) from the interior side (south) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Proposed Project for: Maria Napoles," as prepared by Oscar E. Matutes, R. A., dated 1/10/05 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The south 35' of Lot 4 and the north 40' of Lot 5, Block 14, FLAGAMI THIRD ADDITION, Plat book 17, Page 59.

LOCATION: 235-37 S.W. 80 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.204 Acre

PRESENT ZONING: RU-2 (Two-Family Residential)

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HEARING NO. 05-10-CZ10-8 (05-73)

15-54-40
Council Area 10
Comm. Dist. 10

APPLICANTS: JOSE & CARY GONZALEZ

- (1) Applicant is requesting to permit an addition to a single-family residence setback 5'2" from the rear (west) property line (25' required).
- (2) Applicant is requesting to permit the addition to the single-family residence setback 5' from the side street (north) property line (15' required).

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Jose & Cary Gonzalez," as prepared by CAD Studio Architecture, Inc., and dated 2/22/05 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 6, Block 26, CORAL WAY HOMESITES, Plat book 46, Page 21.

LOCATION: 3200 S.W. 80 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 99.23' x 141'

PRESENT ZONING: RU-1 (Single-Family Residential)

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APPLICANTS: PEDRO NEGRON & PEDRO NEGRON, JR.

- (1) Applicants are requesting to permit a duplex residence with a lot frontage of 60' (75' required) for a proposed duplex
- (2) Applicants are requesting to permit the duplex residence setback 4.4' from the interior side (north) property line. (6' required)
- (3) Applicants are requesting to permit the duplex residence with lot coverage of 30.8%. (30% allowed).

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311 (A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled, "Interior Remodeling-Duplex Conversion for: Pedro Negron," as prepared by E.C. & Associates, Inc. dated stamped received 5/16/05 and consisting of three sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 4 and the north ½ of Lot 5, Block 5 of CORAL WAY PARK SECTION B, Plat book 11, Page 41.

LOCATION: 2020 S.W. 61 Avenue, Miami-Dade County, Florida

SIZE OF PROPERTY: 60' X 142.67'

PRESENT ZONING: RU-2 (Two-Family Residential)

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APPLICANT: NATIONWIDE THEATERS WEST FLAGLER L. L. C.

- (1) MODIFICATION of Condition #1 of Resolution Z-150-80, passed and adopted by the Board of County commissioners, last modified by Resolution 5-ZAB-487-95, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "1. That in the approval of the plan the same be substantially in accordance with the plan submitted for the hearing entitled 'Proposed Office Building Phase II & III,' as prepared by Roux Architect, consisting of Sheets 1, 3, 6, 8-15, dated revised 9/8/95 and Sheets 4, 5 & 7 dated revised 9/28/95 & 7 dated revised 9/28/95. Also on file is a plan entitled 'Sketch of Survey,' as prepared by Biscayne Engineering Co., dated revised 4-1-81."

TO: "1. That in the approval of the plan the same be substantially in accordance with that submitted for the hearing entitled 'Property Located at: S.W.C. of W. Flagler St. and S.W. 87 Ave.,' as prepared by Kimley-Horn and Assoc., Inc., consisting of 6 pages and plans entitled 'The Shops at the Waterways,' as prepared by Saltz Michelson, Architects, consisting of 7 sheets for a total of 13 sheets, all dated stamped received 7/12/05."

- (2) DELETION of an Agreement recorded in Official Records Book 10816, Pages 272 – 275.

The purpose of the requests is to release the applicant from the requirement to build in accordance with a previously approved plan, to release the requirement that the property be used as a bank and to release the requirement that the project be limited to office uses which are similar to those permitted in the RU-5A and permitted in the BU-1A zones and to submit a new site plan showing 2 additional retail buildings on the site.

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

The aforementioned plans are on file and may be examined in the Zoning. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract "A" of 8700 FLAGLER SUBDIVISION, Plat book 151, Page 74.

LOCATION: The Southwest corner of West Flagler Street & S.W. 87 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8.71 Acres

BU-1A (Business – Limited)

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HEARING NO. 05-10-CZ10-11 (05-112)

16-54-39
Council Area 10
Comm. Dist. 11

APPLICANT: MANUEL MARTORELL

GU to RU-5A

SUBJECT PROPERTY: The north $\frac{1}{2}$ of the north $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, less the north 50' and the west 25' and the east 1,040', all in Section 16, Township 54 South, Range 39 East.

LOCATION: The Southeast corner of S.W. 26 Street (Coral Way) and S.W. 149 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 254.67' x 280'

GU (Interim)
RU-5A (Semi-professional Offices)

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APPLICANT: CASTE CORP.

- (1) RU-3 to RU-5A
- (2) DELETION of Declaration of Restrictions recorded in Official Records Book 21486, Pages 1999 through 2004.

The purpose of request #2 is to release the applicant from the day care center and delete the agreement limiting the site to a day care plan and limiting the residential uses that can be built on the site.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

Plans are on file and may be examined in the Zoning Department entitled "Proposed Office Building," as prepared by Moreno Campos, Architects, consisting of 7 pages: Page A-1.0 and L-1.1 dated stamped received 8/15/05 and Pages A-2.0 through L-1.0 dated 5/23/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: The west 200' of the east 1,040' of the north ½ of the north ½ of the NE ¼ of the NE ¼, less the north 50', all in Section 16, Township 54 South, Range 39 East.

LOCATION: The south side of S.W. 26th Street (Coral Way) approximately 240' east of S.W. 149 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 1.28 Net Acres

RU-3 (Four Unit Apartment)
RU-5A (Semi-professional Offices)

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APPLICANT: YOLANDA M. RUBIDO

- (1) Applicant is requesting to permit a covered terrace addition to a single-family residence setback 3' (7.5' required) from the interior side (Southeast) property line.
- (2) Applicant is requesting to permit the residence setback a minimum of 7.43' (7.5' required) from the interior side (Northwest) property line.
- (3) Applicant is requesting to permit a lot coverage of 42% (35% permitted).

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(14) (alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Covered Terrace Addition for Mrs. Yolanda Rubido," as prepared by J. Antonio Rodriguez, Architect, and dated 4/30/05 and consisting of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 7, Block 1, INTERNATIONAL GARDENS, SECTION ONE, Plat book 102, Page 47.

LOCATION: 2501 S.W. 124 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 75' x 110'

PRESENT ZONING: RU-1 (Single-Family Residential)

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HEARING NO. 05-10-CZ10-14 (05-125)

9-54-39
Council Area 10
Comm. Dist. 11

APPLICANT: MARITZA A. NUNEZ

Applicant is requesting to permit a swimming pool to setback 5' (7.5' required) from the rear (north) property line, 15' (20' required) from the side street (west) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of the request may be considered under §33-311(A)(14) (Alternative Site Development Option) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Grand Lakes Phase III," as prepared by Arkitere, Inc., and dated stamped received 5-4-05 and consisting of 2 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lot 8, Block 42, GRAND LAKES, PHASE III, Plat book 161, Page 34.

LOCATION: 15191 S.W. 15 Way, Miami-Dade County, Florida.

SIZE OF PROPERTY: 55.93' x 105'

PRESENT ZONING: RU-1M(a) Modified Single-Family 5,000 sq. ft. net)

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APPLICANT: ARCHBISHOP JOHN C. FAVALORA

- (1) UNUSUAL USE to permit an annual carnival with amusement rides.
- (2) Applicant is requesting to permit parking on natural terrain (hard surface or paving required).
- (3) DELETION of Condition #6 of Resolution 4-ZAB-376-87, passed and adopted by the Zoning Appeals Board on the 23rd day of September, 1987, reading as follows:

“#6. That no temporary use of any type shall be permitted on the premises.”

- (4) MODIFICATION of Condition #2 of Resolution 4ZAB-376-87, passed and adopted by the Zoning Appeals Board and last modified by Resolution CZAB10-99-01, passed and adopted by the Community Zoning Appeals Board, reading as follows:

FROM: “2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled ‘Mother of Christ Church,’ as prepared by Brown & Brown, dated 3/6/01 and consisting of 8 sheets. . except as modified to delete the proposed carnival.”

TO: “2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled ‘Mother of Christ Church and Learning Center,’ as prepared by Brown & Brown, consisting of 1 sheet dated stamped received 6/9/05 and sign plans as prepared by Architectural Services & Engineering, Inc., consisting of 2 sheets dated stamped received 7/25/05.”

The purpose of these requests is to allow the applicant to submit plans showing a carnival with amusement rides and to delete the condition prohibiting temporary uses.

- (5) USE VARIANCE to permit an 8 sq. ft. automatic changing sign within a 24 sq. ft. sign in the RU-1 zoning district as would be allowed in the BU-1A zoning district.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance) and request #3 & #4 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

The aforementioned plans are on file and may be examined in the Zoning Department. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract “A”, MOTHER OF CHRIST PLAT, Plat book 161, Page 33. A/K/A: Tracts 65 & 66 of J.G. HEAD’S FARMS, in Section 10, Township 54 South, Range 39 East, Plat book 46, Page 44, less the south 15’, less the west 35’ and less the north 25’ thereof for right-of-way.

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HEARING NO. 05-10-CZ10-15 (5-133)

10-54-39
Council Area 10
Comm. Dist. 11

APPLICANT: ARCHBISHOP JOHN C. FAVALORA

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LOCATION: 14141 S.W. 26 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 8.04 Net Acres

PRESENT ZONING: RU-1 (Single-Family Residential)

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